

REMARKS

The examiner has rejected the independent claim under 35 USC 103 as obvious over Witt in view of MacPhail. The examiner is urged to reconsider and withdraw his rejection. The claimed invention is directed to the idea of independent enforcement of retention requirements at a plurality of storage sites, combined with the use of redundancy across storage sites to compensate for a failure to enforce deletion restrictions at one or more sites.

The examiner relies on two sentences in Witt (col 3, line 65), which read, "The invention may also be practiced in distributed computing environments where tasks are performed by remote processing devices that are linked through a communications network. In a distributed computing environment, program modules may be located in both local and remote memory storage devices." This is the entire discussion of distributed computing in Witt, and this in no way teaches the subject matter of the independent claim.

To make this distinction even clearer, the independent claim has been amended. The step of applying the shared set of rules now reads, "applying the shared set of rules independently at each of the plurality of storage sites, in response to a request by the client program, in order to separately determine whether or not the portion of the entity version at each site can be deleted". This is further clarified by the added clauses, "wherein each of the portions represents at least part of the contents of the entity version, and not all of the portions are needed to reconstruct the entire contents of the entity version", and "wherein a failure event occurs that causes a one of the plurality of storage sites to delete its portion of the entity version in violation of the shared set of rules, and the entity version is subsequently retrieved successfully in response to a retrieval request sent by the client program to the distributed data storage system".

Since the combination of Witt and MacPhail do not teach this, the independent claim is allowable over the art of record. Note that we have also made some other clarifications in the independent claim. To begin with, we have replaced the phrase "copies of an entity version" with "portions of an entity version". This has been done in order to avoid limiting the redundancy discussed to complete copies (see, for example, paragraph [0091] of the published application, US20040167938). Other wording has been amended to make it clear that it is the client that initiates actions discussed, and that the rules are added to a running storage system

(see, for example, paragraph [0150]). Two “wherein” clauses were replaced by the new language above, and the original language has been moved into two new dependent claims. Three other dependent claims have been amended, and three dependent claims have been added, to further delimit the properties of the shared set of rules.

All claims other than 62 are properly dependent on claim 62 and hence are allowable therewith. Each of the dependent claims adds one or more further limitations to claim 62 that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's rejections of the dependent claims.

Allowance of the application is requested.

Please apply any other charges or credits to deposit account 061050.

Respectfully submitted,

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